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COMMISSION ON HUMAN RIGHTS

Fifty-seventh session

SUMMARY RECORD OF THE 34th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 3 April 2001, at 6 p.m.

Chairperson: Mr. DESPOUY (Argentina)

later: Ms. FILIP (Romania)
(Vice-Chairperson)

CONTENTS

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (continued)

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The meeting was called to order at 6.10 p.m.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 10) (continued) (E/CN.4/2001/8, 10, 49-53, 54 and Add.1 and Corr.1, 55 and Add.1, 56, 57, 62 and Add.1-2, 123 and 148; E/CN.4/2001/NGO/1, 4, 14, 15, 26, 30, 58, 60, 63, 80, 82, 103-106, 108, 109, 125, 131, 148, 154, 166 and 186; E/CN.4/2000/33; E/CN.4/Sub.2/2000/13)

1. Mr. SANCHEZ (American Association of Jurists) said that the main obstacles to the realization of economic, social and cultural rights were the neo-liberal policies and antidemocratic structures of the International Monetary Fund (IMF), the World Bank and the World Trade Organization (WTO) and the dominance of the large transnational corporations. WTO served the interests of the international monopolies and oligopolies that were represented by the great Powers, against which poor countries had no defence. The fact that the United States of America, supported by the European Union, had recently won a case against India for manufacturing generic anti-AIDS drugs showed that WTO put the profits of the transnational pharmaceutical corporations above the right to health and life of the poor. The Commission must urge the United States and 39 pharmaceutical transnationals to withdraw similar complaints that they had brought against Brazil and South Africa, respectively.

2. There was ample evidence of the adverse impact of the activities of transnational corporations on all human rights. The Office of the High Commissioner for Human Rights (OHCHR) was utterly mistaken in its view that the business community would play a role in promoting and protecting human rights in the new century (E/CN.4/2001/25, para. 43). A renewed effort must be made to compel the transnational corporations to respect human rights, and particularly economic, social and cultural rights.

3. The draft optional protocol to the International Covenant on Economic, Social and Cultural Rights could constitute a significant step forward in the legislative field, provided that it abolish the requirement that a complainant must belong to the accused State and permitted States to submit complaints to the Committee.

4. Mr. OLIVA ALONSO (Earthjustice Legal Defence Fund), speaking also on behalf of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, and referring to the report of the Special Rapporteur on toxic waste (E/CN.4/2001/55/Add.1, para. 16), said that, although the facts surrounding the Delta and Pine toxic waste dumping case were publicly known, and despite the calls of the inhabitants of Rincón-í to the Delta and Pine company itself, the Government of Paraguay and the World Health Organization (WHO), nothing had been done to remove the toxic cotton seeds and decontaminate the area; to provide medical treatment to those affected; to establish a long-term medical and environmental monitoring programme; or to provide adequate compensation to those affected, their families and the community in general. The fundamental rights of the community's 600 inhabitants to health, a healthy environment and economic survival on their own land had been violated with impunity.

5. The case was a dramatic illustration of how toxic waste dumping was carried out without the slightest respect for fundamental rights. The Commission should investigate the extent to which environmental issues affected civil, political, social, economic and cultural rights in the

third world and, with a view to the World Summit on Sustainable Development, to be held in Johannesburg in 2002, it should also request the Special Rapporteur to keep it apprised of legal and institutional measures to protect and promote human rights in relation to the environment.

6. Mr. MIOT (International Federation of Rural Adult Catholic Movements (FIMARC)) said that, despite scientists' questions, farmers' protests and consumers' reticence, the biotechnology corporations that had developed genetically modified seeds were rushing to cash in on their vast investments without taking time to assess what hazards they might present to health and the environment. If the aim was indeed to serve humankind and feed the world, as the United States company Monsanto proclaimed, research should be concentrated not on maize to feed cattle in rich countries, but on drought-resistant plants such as sorghum, to feed the children in poor countries.

7. The relevant international organizations should pay heed to public opinion, which was increasingly opposed to the production and marketing of transgenic plants to the benefit primarily of transnational corporations. What peasants needed was genuine land reform that would make it possible to feed local populations, international trade that would guarantee fair prices and a truly alternative model of agricultural development that would not exclude small-scale producers and destroy the environment.

8. FIMARC therefore urged the States that had not yet done so to sign and ratify the Protocol on Biosafety to the Convention on Biological Diversity. Until the Protocol entered into force, a moratorium should be introduced on international trade in genetically modified organisms (GMOs). Comprehensive labelling should be made compulsory for products containing GMOs and producers' and exporters' liability for environmental or health problems should be clarified. Food sovereignty should be recognized as a right and the rules on international trade in GMOs established in the Protocol should take precedence over WTO rules.

9. Ms. MIVELAZ (World Organization against Torture) said that land reform in Brazil was progressing very slowly and had not yet provided a solution to the situation of landless peasants, whose claims were generally met by violent repression and eviction on the part of the State and large landowners. The problem of rural poverty, underdevelopment and a high concentration of land ownership was closely linked to violations of economic, social, cultural, civil and political rights. Macroeconomic policies had not helped and, in some instances, had exacerbated the situation. Her organization was extremely concerned about the issue of impunity: five years after the killing of 33 peasants by police in the State of Paraná, for example, no proper investigation or prosecution had been carried out.

10. It was also concerned at the Indian Government's violent response to tribal peoples' assertion of their economic, social and cultural rights in connection with a major hydroelectric project in Jharkhand State. Despite the fact that construction of the two dams would result in the displacement of many thousands of families from 250 villages, the Government had not consulted the people affected and police had opened fire on a peaceful protest meeting, killing 8 people and injuring 10 others.

11. In the Philippines, a Japanese company regularly violated its workers' labour and human rights: active union members were threatened with dismissal and a strike had been brutally broken by police and security guards, who had injured 30 people in the process.

12. Her organization believed that all special rapporteurs and working groups should consider the impact of globalization and poverty on the rights falling under their mandate. It welcomed the work of the Special Rapporteur on housing rights, and stressed the importance of adopting an optional protocol to the International Covenant on Economic, Social and Cultural Rights and establishing an open-ended working group in accordance with Sub-Commission resolution 2000/9.

13. Ms. STUCKEY (Pax Christi International) said she welcomed the progress made towards the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights and believed that further research should be carried out within a specific working group.

14. Access to decent work was a priority in efforts to overcome poverty and ensure the full enjoyment of fundamental human rights. The Commission should also consider a new approach to debt, one based on a redefined framework of structural adjustment and genuine consultation of civil society. Privatization of social services in the name of competitiveness must be condemned, since it meant that price levels were determined by profitability and that citizens' access depended on their purchasing power - a violation of human dignity.

15. Lastly, full enjoyment of economic, social and cultural rights depended on attaining the 0.7 per cent target for official development assistance (ODA). The Commission might also address the issue of a tax on financial speculation.

16. Ms. WOLF (International Federation Terre des Hommes) said that, in Brazil, the richest 20 per cent of the population controlled 64 per cent of the nation's wealth, while the poorest 20 per cent had just 2.2 per cent. Seven per cent of children suffered from malnutrition and, despite experts' recommendations that a massive investment in education was needed, the education budget had shrunk by 9.1 per cent between 1995 and 1999. The Afro-Brazilian population was the poorest and least educated group in the country. Although Brazil had been sixty-third in the world according to the 1997 human development index, its population of African descent taken alone would have been placed one hundred and twentieth. There were other issues such as land distribution, labour rights, social disintegration and violence, and a lack of dialogue with civil society. According to a recent report by Brazilian non-governmental organizations (NGOs), about five per cent of the gross national product (GNP) would be sufficient to eradicate poverty from Brazil.

17. Violations of economic, social and cultural rights often took place in breach of domestic legislation. In such circumstances, it was essential that international remedies should be available. Having urged all States that had not yet done so to ratify the International Covenant on Economic, Social and Cultural Rights, she said that States' lack of interest in the draft protocol to the Covenant was inconsistent with their political declarations and her organization

called upon them to communicate their views in the matter to OHCHR. In addition, a working group should be established to examine the subject of international remedies and economic, social and cultural rights.

18. Mr. PERERA (World Federation of United Nations Associations) said that the international community had an obligation to cooperate more closely with sub-Saharan Africa, 50 per cent of whose people lived on 65 United States cents per day. While the West had good reason to be disillusioned with such an unstable region, it should bear in mind the effect of Africa's colonial past, the way in which the cold war had been waged in part through African proxies, and sub-Saharan Africa's subsequent utter marginalization. Only through effective cooperation could the peoples of the region be guaranteed full enjoyment of their economic, social and cultural rights.

19. There were signs of change, however, on the part both of African leaders themselves, who were beginning to realize that Africa's future lay in its own hands, and of the West, which had begun not only to acknowledge its own role in creating Africa's current problems but also to implement concrete measures such as debt relief, phasing out of trade barriers and campaigning for overall ODA to be increased to the long-standing United Nations target of 0.7 per cent of GNP. Rich countries could further aid sub-Saharan Africa by, for example, supporting the Millennium African Renaissance Programme and providing assistance in combating malaria, tuberculosis and HIV/AIDS. For their part, African leaders and peoples must restore and maintain political stability, ensure the rule of law through democratic institutions, use debt relief to alleviate poverty, and eliminate corruption.

20. Mr. MELIN (International Save the Children Alliance) said that fiscal policies had a direct impact on children and the implementation of policies and plans that affected children's rights should be costed and factored into national and local budgets. Recent studies in seven countries had shown that, even where policy decisions had been taken on the rights of the child, those commitments were not fully translated into State budgets. In Peru, for example, despite government efforts to increase social spending on children, indicators showed that not all children had benefited equally. In addition, owing to a lack of information on actual expenditure on children, it was difficult to analyse the impact of budget allocations. In Sweden, the negative effects on children of the 1990s budget cuts could have been mitigated had there been an accessible overview of the resources allocated to children in the national and local budgets. An annex should be attached to Sweden's State budget analysing the extent to which it reflected national and local policies on children's rights.

21. His organization called on the Commission to urge Governments, inter alia, to specify what proportion of the State budget was allocated to children's rights and what proportion was actually spent on children's rights, and to ensure that the resources allocated in the budgets reached marginalized children.

22. Ms. BONNER (International Baccalaureate Organization) said that the International Baccalaureate (IB), which had been in existence for over 30 years, was accepted by most countries as equivalent to their national diplomas for university entrance. Critical thinking and decision-making, mutual understanding, conflict solving and human values were fundamental elements of IB programmes and ongoing social service in the community was a requirement.

23. IB had currently reached about 40 per cent penetration in State schools, giving the next generation a good chance of being able to build a better world. Her organization hoped that, in line with the UNESCO plan for free compulsory primary education for all by 2015, more Governments would introduce IB into State schools. Refugees' and migrants' children in particular, and orphans in the developing world, had much to gain from such a multicultural and multilingual educational experience. She called on the Member States to help spread the IB philosophy of mutual understanding and respect so that future generations could live in peace and security.

24. Mr. REDEGELT (International Movement ATD Fourth World) said that, as the Millennium Declaration had recognized, extreme poverty was to be considered a denial of human rights and human dignity in the same way as slavery or torture. However, there was still a wide gap between the aspirations of the various international human rights instruments and the intolerable poverty experienced by millions of people.

25. The existing instruments did not refer directly to extreme poverty and the international community should issue an unambiguous declaration that such poverty was a violation of all human rights. Extreme poverty should be defined not as a lack of a given guarantee of existence but as a vicious circle of precariousness which affected all rights, since all human rights were indivisible and interdependent. A declaration on human rights and extreme poverty - possibly leading to a convention - formulated in consultation and partnership with the poorest of the poor, would be an instrument enabling the poor to rise out of poverty, exercise their fundamental rights and assume their responsibilities.

26. Mr. LIYANAGE (Asian Legal Resource Centre) urged the Special Rapporteur on the right to food to consider, as a matter of priority, conditions in Myanmar, where there was ample evidence to suggest that the Government was systematically denying food to the civilian population. The armed forces were destroying food stocks and crops and relocating civilian communities. An international commission should be established to examine the man-made food security crisis in Myanmar.

27. The international community should provide financial and technical assistance to ensure that the Government of Cambodia upheld the right to health. The health-care system had been undermined by a lack of funding, leading to corruption and public distrust of doctors and hospitals. Doctors earned around US$ 15 per month. Only 14 per cent of the country's medical personnel were based in rural areas, where 87 per cent of the population lived. In Sri Lanka, there were fears that a new water resources policy, details of which had not been released to the public, could result in the poor being denied access to water. Open debate was essential in order to formulate a sustainable, equitable water-distribution policy.

28. Lastly, he urged the Commission to adopt the draft resolution on economic, social and cultural rights, including the establishment of an open-ended working group on an optional protocol to the Covenant.

29. Ms. KEHL-LAUFF (International Alliance of Women) said that her organization strongly supported the efforts of the Special Rapporteur on adequate housing to make gender discrimination in housing and land rights a priority issue. It also supported the draft resolution sponsored by Mexico on women's equal ownership of, access to, and control over land and equal rights to own property and to adequate housing.

30. Although women's land rights had been on the international agenda since the adoption of the Nairobi Forward-looking Strategies for the Advancement of Women in 1985, some Governments were not yet aware of the importance of the issue. Along with violence against women and children, women's lack of land or ownership rights was one of the causes of the feminization of poverty. Her organization thus encouraged a close dialogue between the Special Rapporteur on adequate housing and the Special Rapporteur on human rights and extreme poverty, and requested both of them to provide technical advice not only to Governments in the area of legislation but also to international and national organizations working on social and economic development.

31. Ms. KWEITEL (Center for Economic and Social Rights) said that the lack of an optional protocol to the International Covenant on Economic, Social and Cultural Rights was fundamentally inconsistent with the international community's commitment to the indivisibility of human rights. Such a mechanism would be of vital importance to victims of violations of those rights in countries without adequate legal remedies. The arguments against the justifiability of economic, social and cultural rights had been refuted time and again, most recently at a workshop on the subject organized in February 2001 by OHCHR and the International Commission of Jurists, with the financial support of the Government of Finland. The local courts in many countries had recognized their justiciability and regional mechanisms already existed under such instruments as the 1995 Additional Protocol to the European Social Charter, the San Salvador Protocol and the African Charter on Human and Peoples' Rights.

32. Her organization therefore urged the Commission to establish an open-ended working group on the topic and to ensure that consideration of a draft optional protocol was included in the agenda for its next session.

33. Ms. LAROCHE (International Federation of Human Rights) said that, in the context of the forthcoming WTO Ministerial Conference in Qatar, the proposal to launch a new round of negotiations had reopened the debate on the impact of trade liberalization on the exercise of fundamental human rights. Despite the adoption of the 1993 Vienna Declaration and the fact that the vast majority of the States members of WTO had ratified the international human rights instruments, in WTO human rights were still regarded merely as a cover for protectionism or so many obstacles to trade liberalization. His organization condemned the hypocrisy of States that, on the one hand, ratified international human rights instruments and, on the other, made trade commitments that jeopardized the exercise of the rights protected by those instruments.

34. It called on the Commission to follow the examples of the Committee on Economic, Social and Cultural Rights, which had sent a statement to the third WTO Ministerial Conference, held in Seattle, and of the Sub-Commission on the Promotion and Protection of Human Rights, which had adopted several resolutions on the impact of trade agreements on the effective

exercise of human rights, and send a clear message to the States members of WTO that trade negotiations must not set market forces above the values shared by all humankind, chief among which was respect for the human rights of all.

35. Ms. Filip (Romania), Vice-Chairperson, took the Chair.

36. Ms. PARKER (International Educational Development Inc.) said that the politically motivated sanctions against Iraq were illegal, inhumane and morally bankrupt and violated not only the applicable humanitarian law but also the Charter of the United Nations and all human rights instruments. They also failed the six-prong test described in a Sub-Commission working paper by Mr. Marc Bossuyt (E/CN.4/Sub.2/2000/33, paras. 41-47). The sanctions had caused the death of more than 2 million Iraqi civilians, while hundreds of thousands were suffering serious malnourishment and related problems. In addition, they prevented even minimal medication reaching those suffering from medical conditions caused by the depleted uranium in weapons used during the Gulf War - including children born with deformities and disabilities.

37. The United Nations and the people of Iraq were being held hostage by a single Government, which insisted that its own economic and political interests took precedence over all humanitarian and human rights law. The rest of the international community acquiesced in that view by accepting that all nations were equal but some were more equal than others. Her organization supported the work of the Special Rapporteur on the situation of human rights in Iraq and thanked him for his compassionate review of the situation. It urged the Special Rapporteurs on the right to food and on toxic waste also to investigate the situation. Lastly, she called for all sanctions against Iraq to be lifted immediately.

38. Ms. CALDERIN (Federation of Cuban Women) said that, although a woman's right to choose motherhood or abortion was often strongly defended as a basic sexual right, the same did not always apply to a mother's right to protection and family planning. According to the WHO, 500,000 women died every year from complications in pregnancy.

39. Cuba's health indicators were comparable to those of the developed countries. Life expectancy was 72.94 years for men and 76.90 years for women. With a gross reproduction rate of 0.77 children per woman, Cuba's fertility rate was one of the lowest in the world and, in 2000, 99.9 per cent of births had taken place in health institutions: a reflection of Cuba's high level of social development and its progress in women's education and the right to health. Since its inception in 1960, her organization had run family planning and reproductive health programmes in the community, in order to prevent unwanted pregnancies, encourage the effective use of contraception and promote responsible sexuality.

40. All that had been achieved despite the United States' unilateral coercive measures against the Cuban people, and her organization supported the responses submitted by the Cuban Government pursuant to Commission resolution 2000/11.

41. Mr. PRADHAN (Rural Reconstruction Nepal) said that the situation of economic, social and cultural rights of the Nepali-speaking Lhotshampas, who practised Hinduism and lived in southern Bhutan, continued to give cause for concern. Their dress, language and culture had

been banned since 1988, under the "one-nation, one-people" policy. Land belonging to those who were living in exile in Nepal had been distributed to other Bhutanese from the north and the east, following population transfers aimed at destroying the southern Bhutanese culture.

42. Referring to the Chairman's statements made on behalf of the Sub-Commission on the Promotion and Protection of Human Rights in 1998 and 1999, he said that the verification process had begun on 26 March 2001, but was far too slow to deal with the large number of families involved. In the meantime, the refugees had not been told whether they would be able to go back to their places of origin when they returned or whether their economic, social and cultural rights would continue to be curtailed under the "one-nation, one-people" policy. He urged the Commission to take steps to ensure that the ban was lifted and that resettlement in southern Bhutan was halted in order to protect the land rights of the refugees.

43. Mr. SHOAIB (International Human Rights Association of American Minorities) said that the most disturbing violations of economic, social and cultural rights occurred as a result of foreign occupation or armed conflict, and the Commission should address them as a matter of priority. One example was the Indian Government's policy towards the Kashmiri people, who had been compelled to do without the basic necessities of life so that the needs of the 700,000 occupying troops could be met. Those who were dependent on the tourist trade were suffering particular hardship, and Kashmiri children's education had been badly affected, in part because security forces monitored teachers' work on the pretext that nationalism and militarism were being taught. Economic, social and cultural rights could not be realized unless the international community treated such violations with the same sense of urgency as violations of civil and political rights.

44. Ms. JAMPA (International Union of Socialist Youth) said that, despite China's claims to have poured money into Tibet over the past 50 years, there was little evidence to suggest that the situation had improved for Tibetans, whose lives were dominated by problems of poverty and basic subsistence. The contrast between urban and rural areas was particularly stark: total household spending in urban areas - where most Chinese settlers lived - was ten times the rural level and growing at twice the rate. Tibetans spent only a fraction of what the Chinese settlers spent on health and education, for example, and wages in Lhasa were the highest in China.

45. A discussion of the realization of the right to development in Tibet was timely and necessary. China's human rights strategies had continually focused on the right to development, but the term "development" had become merely a metaphor for the supposed contrast between the "new" Tibet and the "old" Tibet of the pre-Communist dark ages. In fact, China's development strategy in Tibet had resulted not in a healthy economy but in one entirely reliant on large government subsidies, a classic pattern of control and colonization. The question the international community must ask was, what had been developed, and for whom?

46. Mr. WEI Jingsheng (Transnational Radical Party) said that only a very small minority of Chinese citizens had benefited from the economic reform programme introduced 20 years previously. The increase in material wealth had been greatly exaggerated. Under a system of equal distribution, the living standards of all Chinese would rise. However, only 1 per cent of the 400 million people living in China's cities could be considered wealthy while in the rural

areas, where two thirds of the population lived, an illegal system of hundreds of taxes meant that most of the revenue from agricultural production went into the pockets of local administrators, with other members of the community surviving on extremely low or unstable incomes.

47. Unequal distribution persisted because the Chinese political system did not permit the working class to organize and negotiate with the few who consumed all the resources. The Government continued to support policies that did not respect political rights: thousands of ordinary citizens were in prison. Thus, although the Government had signed the International Covenant on Economic, Social and Cultural Rights, the development of those rights was severely handicapped.

48. Ms. CARCANO (Women's International Democratic Federation) said that government cutbacks in social services expenditure in response to the economic crisis and to neoliberal globalization and structural adjustment processes were having a serious impact in areas of State responsibility such as education, health and a satisfactory standard of living for all. Her own organization had helped eliminate illiteracy among women in many parts of the world and raised their level of education. Yet many countries still did not have sufficient means to guarantee education and health for all.

49. It was difficult to understand how her own country - Cuba - could be accused of violating human rights. Despite a 40-year economic embargo by the United States of America, social rights such as the right to health, education and social security, and cultural rights, were guaranteed to all without distinction based on race, gender, political conviction, religion or sexual orientation. Cuba's social and health indicators were among the top three in Latin America: it had attained the objective of health for all by the year 2000, and illiteracy had been eradicated 40 years previously.

50. Mr. PUNJABI (Himalayan Research and Cultural Foundation) said that the biggest obstacle to the realization of social and cultural rights was the desire to homogenize societies on the basis of thought or religion. That was particularly the case when the State was an agent of the process. The international community should censure States that sought to impose a culturally homogeneous paradigm based on a distorted version of religion, fanaticism and intolerance.

51. It was essential to establish a complaints procedure, of a non-compulsory nature. The progressive development of standards by which to judge States' success in implementing the Covenant would strengthen efforts to realize those rights, and he welcomed the Commission's practical initiative in inviting States, intergovernmental and non-governmental bodies to comment on the report of the Committee on Economic, Social and Cultural Rights on a draft optional protocol to the Covenant. However, he urged the Commission to look into the situation of cultural rights, which appeared to have been relegated to the background.

52. Although the Commission's pioneering work in sensitizing States had resulted in virtually universal implementation of the right to education, it should examine the content of education in different parts of the world. Education in some South Asian States, for example, was undermining the diversity of ethnic and cultural groups and even promoting xenophobia, gender bias and cultural apartheid.

53. Ms. PROUVEZ (International Commission of Jurists) said that globalization meant that economic, social and cultural rights had more than ever to be understood as an indivisible part of human rights, and that entailed recognition of their justiciability at the national, regional and global levels. Referring to document E/CN.4/2001/62/Add.2, she said that case studies presented to the Workshop on the justiciability of economic, social and cultural rights, organized by OHCHR and her organization in February 2001, had shown that such recognition had been achieved at both the domestic and the regional levels.

54. Throughout the Workshop, experts had stressed the need to place a renewed emphasis on economic, social and cultural rights, which were currently suffering from certain aspects of liberalization, market economics and globalization. With so many other international complaints mechanisms currently in operation, there could no longer be any justification for blocking the adoption of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights. The majority of participants in the Workshop had endorsed the establishment of an inter-sessional open-ended working group to study the draft optional protocol and it had been concluded that the question was primarily a political one. The high level of government participation in the Workshop was proof of the importance attached to the matter. It was for the Commission to decide on the next step. Her organization hoped it would heed the calls to establish a working group.

55. Mr. BHAN (Indian Council of Education) said that his organization was deeply concerned at the support given by some Member States to puritanical religious fundamentalist groups that imposed narrow social norms against the collective will. In the Indian State of Jammu and Kashmir, for example, Pakistani fundamentalist terrorist groups had systematically targeted secular, modern schools and warned parents not to send their children there. As the schools had closed, religious seminaries or madrasas had sprung up in their place, teaching hatred and intolerance and forcing young boys to take up arms in the cause of the new religious order. According to press reports, terrorist groups also recruited in government schools in Pakistan, without protest from the military regime. Girls in Jammu and Kashmir, too, were denied their economic, social and cultural rights, being threatened or assaulted if they did not wear veils.

56. Entertainment was highly restricted and tourism and handicrafts were suffering: tens of thousands of people who had been involved in the famous Kashmiri carpet and shawl-weaving industries had been compelled to migrate to safer places and cease their work. The Pakistani fundamentalists were intent on destroying traditional Kashmiri society, which was a tolerant, multicultural, composite culture.

57. The international community must understand that the origin of the problem lay in the madrasa culture of Pakistan and Afghanistan, which had created the Taliban and was spreading to other parts of the world. His organization urged the Commission to set up a working group to study the madrasas in Pakistan and to request the Government of Pakistan to close down those that taught terror and hatred of other societies.

58. Mr. KHAN (International Institute for Peace) said the common perception of Islam as responsible for the denial of people's economic, social and cultural rights was due to a distortion of its message, which was humane and progressive. Islamic countries lost credibility when they

sought to defend at all costs a range of social, economic or political actions that were perceived as Islamic. It was important to assess each specific action rather than to take the easy option of a generalized defence invoking the idea of "Islamophobia".

59. The Taliban's recent demolition of statues of the Buddha in Afghanistan, for example, had been carried out in utter disregard of the feelings of those of a different faith, but instead of condemning the Taliban claim that the action was consistent with Islam, several Islamic countries, including Pakistan, had merely appealed against the destruction of the statues. Those who talked of "Islamophobia" should consider how to deal with such elements on their own doorstep. Islam should draw inspiration from its past but should not try to replicate the living conditions of the past in a changed world.

60. At the time of its creation, Pakistan had been a relatively secular State, as could be seen from its first Constitution. However, since then religious forces had gained ascendancy, mainly because of the war in Afghanistan and the need of successive military Governments for some kind of democratic legitimacy. As a result of pressure from the fundamentalists, Governments had made concessions leading to the denial of economic, social and cultural rights. Blasphemy laws caused untold misery to non-Muslims; Sharia courts had the power to overrule any existing political, economic, social or cultural rights; and women's rights were restricted in violation of international human rights law. Such retrograde measures further increased the intolerance to be found in some sections of Pakistani society, which was already accentuated by the lack of a democratic system.

61. Mr. MARQUEZ (Andean Commission of Jurists) said that Colombia was the country that was suffering most from the political and social crisis afflicting the countries of the Andean region. The reason was the political, criminal, paramilitary and drugs-related violence that for years had been eroding Colombia's democratic institutions. Despite the Government's agreement to continue the peace process, the human rights and humanitarian situation was still very serious. It was necessary to evaluate the implementation of the military component of Plan Colombia, which could have an adverse impact on the effectiveness of alternative development programmes because its parameters were inconsistent with those applied in other components of the Plan.

62. For example, there was little point in promoting particular products or rehabilitating areas with a fragile environment if armed conflict and human rights abuses against vulnerable groups intensified as a result of an increase in military actions. The armed conflict disrupted the distribution of basic commodities and services and created social problems such as internal displacement, which in turn created a need for sanitation, education and housing. Some 400,000 persons had been displaced since 1995 and the eradication of illicit plantations envisaged under Plan Colombia was therefore extremely worrying, since it would probably compel millions more to leave their homes.

63. That could be highly prejudicial to Colombia's social and economic development and thus to the realization of economic, social and cultural rights, particularly for women, who formed the great majority of displaced persons. The problem also had a regional dimension, since the neighbouring States were incapable of dealing with a growing population of refugees from Colombia.

64. It was essential therefore that international community and human rights protection bodies such as the Commission should follow closely the development of Plan Colombia . The positions they adopted would help the other Andean States to take action to meet their international obligations to guarantee the well-being of the population and the stability of the region, thereby consolidating peace, democracy and full respect for human rights.

65. Ms. OLIVER (European Union of Public Relations) said that every shot fired at the statues of the Buddha in Afghanistan had been a shot at a people's right to their cultural heritage. Attempts had been made in Pakistan to justify the statues' destruction as a response to the sanctions imposed on the Taliban by the international community. In reality it had been one more manifestation of an ideology endorsed by obscurantist elements in Pakistan, including members of its establishment.

66. Given the religious, cultural and social diversity of humankind, individual and group aspirations needed the cocoon of State and societal guarantees, particularly in multi-religious and multi-ethnic societies. The imposition of an ideology alien to a particular group was a threat to that group's economic, social and cultural rights and prevented it from engaging in productive endeavour to the benefit of society.

67. The new threat came from terrorism grounded in obscure, fundamentalist beliefs, which sought to overthrow established orders where groups had managed to secure a recognized place in social and economic life. What was needed was a concerted response to such depredations. Debate was useful but had little relevance without the backing of effective action on behalf of those whose lives and rights were hostages to violence and intolerance.

68. Mr. GUPTA (International Institute for Non-Aligned Studies) said that the arbitrary division of civil and political rights from economic, social and cultural rights had proved detrimental, since the realization of economic, social and cultural rights was vital to the effective exercise of civil and political rights. In the face of the crisis facing African and Asian countries, for example, it was most regrettable that some leaders had incurred massive debts in order to buy military equipment to repress their people. His organization requested the Commission to call for the immediate cancellation of military contracts and a ban on military aid to non-democratic Governments.

69. It was high time that economic policy took account of the interests of local and indigenous populations rather than being based on foreign investment projects that destroyed natural resources and the livelihood of those who owned and managed those resources. The Commission's working groups should suggest ways of reducing the gap between rich and poor within countries and between the countries of the North and the South. Every country should be able to provide its citizens with food, education and health and the developed countries should provide basic technology to the developing countries to that end. All development packages should include the development and empowerment of women.

70. Mr. TEHRANI (Organization for Defending Victims of Violence) said that globalization was a consequence of the spread of telecommunications technology, which had shrunk the world. Its positive effects included greater cooperation, interaction, tolerance, flexibility and pluralism, but there were serious concerns about the way it increased structural conflicts, identity

crises and economic inequality and regarding its violent aspects such as trafficking in women and drugs, international terrorism and international criminal activity. His organization suggested that the Commission should appoint a special rapporteur on globalization and its impact on the full enjoyment of all human rights.

71. The third world was particularly vulnerable. The removal of barriers to the movement of capital had increased the gap between rich and poor nations, with an increasing risk that a global underclass could emerge. The third-world countries should try to increase their resistance to the risks of globalization by relying more on domestic resources, basing their policy-making and planning on an evaluation of international conditions and paying more attention to the new information technologies.

The meeting rose at 9 p.m.